

**Town of Norwell
Select Board Meeting
Open Session
5/24/23**

Present: Jason Brown, Bruce Graham, Andy Reardon, Brian Greenberg, Pete Smellie, Darleen Sullivan

The meeting was called to order by Chair Bruce Graham at 7:07pm.

Approval of Agenda

Motion; made by Jason Brown, seconded by Pete Smellie, to approve the agenda as written. Unanimously voted

Approval of Minutes

Motion; made by Jason Brown, seconded by Pete Smellie, to approve the Executive and Open meeting minutes of 4/26/23. Unanimously voted

Select Board Reports

Mr. Greenberg thanked residents for their votes in the recent election and added that he is happy to be here. Mr. Reardon reminded residents about the Memorial Day events and parade that starts at 10AM at the Unitarian church on Main Street.

Town Administrator's Report

Ms. Sullivan thanked the police, fire and school departments for their excellent support for the Evans run event. She met with the Commission on Disabilities last night and looks forward to working with that committee. Welcome, Mr. Greenberg! Plans for the new Town Hall are moving along.

Citizen Comments - None

Reorganization of the Select Board

Mr. Brown thanked Mr. Graham for doing a good job as board Chair for the last two years.

Mr. Brown nominated Pete Smellie as Chair of the Select Board.

Mr. Graham nominated Mr. Reardon as Chair of the Select Board, adding that Mr. Reardon would help ensure a smooth transition for Ms. Sullivan in her new role as Town Administrator. Mr. Reardon has an excellent background as a leader and would be better suited than Mr. Smellie as this is a critical year for this board. Mr. Smellie could step into the role of Chair the following year.

Motion; made by Bruce Graham, seconded by Jason Brown, to close the nominations for Chair. Unanimously voted

Vote to elect Pete Smellie; Brown – yes, Graham – no, Reardon – no, Greenberg – yes, Smellie – yes.

Mr. Reardon asked to retake the above vote to make it unanimous.

Vote to elect Pete Smellie as Chair; unanimously voted

Motion; made by Jason Brown, seconded by Brian Greenberg, to nominate Andy Reardon as Vice Chair of the Select Board, unanimously voted

Motion; made by Pete Smellie, seconded by Brian Greenberg, to close the nominations for Vice Chair, unanimously voted

Vote to elect Andy Reardon as Vice Chair; unanimously voted

Motion; made by Bruce Graham, seconded by Jason Brown, to nominate Brian Greenberg as Clerk of the Select Board. Unanimously voted

Motion; made by Bruce Graham, seconded by Jason Brown, to close the nominations for Clerk. Unanimously voted

Vote to elect Brian Greenberg as Clerk of the Select Board; unanimously voted.

7:19pm – Public Hearing: License Transfer – Retail Package/All Alcohol – Kappy's Liquors, 433 Washington Street open at 7:19pm

Motion; made by Bruce Graham, seconded by Brian Greenberg, to open the public hearing at 7:19pm. Unanimously voted

Mr. Greenberg read the notice of public hearing published in the Patriot Ledger.

Atty. John Mooradian and buyer Jaldip Patel were present at the hearing for the transfer of the Retail All Alcohol license to the new owner, Norwell Kappy's, Inc., dba Kappy's Fine Wine and Spirits, and approval of Mr. Patel as manager. He is TIPS certified. The store hours will remain 8am to 11pm Monday through Saturday, and 10am to 11pm on Sunday. There will be (mostly the same) 10-15 employees in the same store footprint. An ID scanner will be used to prevent underage sales.

In answer to the board's question, Atty. Mooradian stated that this is a sale of store assets (building excluded), with the right to use the name Kappy's, not a license of the name.

Motion; made by Pete Smellie, seconded by Brian Greenberg. Unanimously voted.

There were no public comments in response to Mr. Smellie's question.

Motion; made by Mr. Reardon, seconded by Mr. Greenberg, to approve the transfer of the Retail All Alcohol license to Kappy's Fine Wine and Spirits. Unanimously voted

Committee Rep Assignments and Votes

The Select Board representatives to the following boards and committees are:

1. Cable TV Committee – Bruce Graham
2. Community Housing Trust – Andy Reardon
3. MBTA Advisory Board – Andy Reardon
4. Complete Streets – Brian Greenberg
5. Traffic Study Committee – Jason Brown
6. MAPC – Bruce Graham
7. Plymouth County Advisory Board – Andy Reardon
8. Advisory Board Nominating Committee – Andy Reardon
9. The Town Administrator serves as the Parking Clerk and Municipal Hearing Officer

7:30pm – Public Hearing: Amusement License Application – VJOLT Enterprises, Inc., dba Inclusion Records, 340 Washington Street

Motion; made by Mr. Reardon, seconded by Mr. Greenberg, to open the public hearing at 7:34pm. Unanimously voted

Mr. Greenberg read the notice of public hearing published in the Patriot Ledger.

Both owners, John Nichols and Robert DePesa, were present to provide background for their amusement license application to host ad hoc acoustic performances at their store

(340 Washington Street). As these events would occur after hours, the owners assured the board that they would be respectful of the abutting neighborhoods.

The board expressed concerns about approving this application. In answer to the board's questions, both owners noted that this would be a tool to promote record sales. The license has a January 1st renewal date. The board also has the authority to shut the business down or revoke the license if they are not in compliance.

Mr. Smellie invited public comment. Fire Chief Dave Kean is not in agreement with a license approval for this business for the following reasons:

1. The space is too small to accommodate more than a handful of guests (5)
2. The fire code requires proper egress, lighting and signage
3. The vinyl record material is fire conducive; there are records glued to the ceiling of the store.

The board asked Chief Kean questions about the fire code and occupancy limits for this business. The chief summarized the potential risks involved in granting this license.

Motion; made by Bruce Graham, seconded by Andy Reardon, to deny the Amusement license to VJOLT Enterprises, Inc., dba Inclusion Records.

Further discussion raised the following points:

1. The potential for a dangerous situation, citing the Station House fire in RI. The owners respected this opinion but noted that their store does not have the same set of circumstances as that terrible tragedy. They are just trying to augment the sale of their records with events involving a single performer.
2. Alternatives to this license were explored, such as 24 hours' notice to the Fire/Police departments or a single event license with a fire marshal in attendance. Concern was expressed over traffic, spontaneous events and compliance with the fire code for the business.
3. Chief Kean used The Fours amusement license as an example of compliance with safety codes. The owners expressed their willingness to work with the Fire Department to improve safety conditions.
4. The board empathized with these small business owners and agreed to continue the hearing to the next Select Board meeting on June 14th.
5. Chief Kean will meet with Building Inspector Tom Barry to accurately classify the building and determine appropriate occupancy before the board grants any license.

Motion; made by Bruce Graham, seconded by Brian Greenberg, to continue the public hearing to 6/14/23 at 7:30pm. Unanimously voted.

Ms. Sullivan will contact Mr. Barry to set up a meeting with Chief Kean.

Future Meeting Agendas/Dates; June 14th and June 28th

Adjournment

Motion: made by Bruce Graham, seconded by Brian Greenberg, to adjourn at 8:12pm. Unanimously voted



Pete Smellie, Chair